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Total # of Pages 18 (including this page)

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Examiner Zachariah Lucas Group Art Unit 1648 Commissioner for Patents	(571) 272-0905	(703) 872-9306

From : Stephen E. Reiter <i>SR</i>
Email Address : sreiter@foley.com
Sender's Direct Dial : 858.847.6711
Date : February 15, 2005
Client/Matter No : SALK1650-6 (088802-2758)
User ID No : 1877

MESSAGE:

U. S. Patent Application No. 10/628,957

Following are:

- 1) Amendment Transmittal (3 pgs.)
- 2) Amendment and Reply Under 37 CFR 1.111 (14 pgs.)

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Atty. Dkt. No. SALK1650-6 (088802-2758)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Marc. R. Montminy
Title: METHODS FOR TREATING
DIABETES MELLITUS
Appl. No.: 10/628,957
Filing Date: 07/28/2003
Examiner: Zachariah Lucas
Art Unit: 1648
Conf. No. 6172

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**RECEIVED
CENTRAL FAX CENTER****FEB 15 2005****AMENDMENT TRANSMITTAL**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

☐ Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous
assertion of Small Entity status.

☐ Assertion of Small Entity status is enclosed.

In re application off
 Marc R. Montminy
 Application No.: 10/628,957
 Page 2 of 3

Atty. Dkt. No. SALK1650-6 (088802-2758)

☒ The fee required for additional claims is calculated below:

	Claims As Amended		Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee
Total Claims:	9	-	20	=	0	x	\$50.00	=	\$0.00
Independent Claims:	3	-	3	=	0	x	\$200.00	=	\$0.00
First presentation of any Multiple Dependent Claims:						+	\$360.00	=	\$0.00
CLAIMS FEE TOTAL								=	\$0.00

☐ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/> Extension for response filed within the first month:	\$120.00	\$0.00
<input type="checkbox"/> Extension for response filed within the second month:	\$450.00	\$0.00
<input type="checkbox"/> Extension for response filed within the third month:	\$1,020.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fourth month:	\$1,590.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fifth month:	\$2,160.00	\$0.00
EXTENSION FEE TOTAL:		\$0.00
<input type="checkbox"/> Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$130.00	\$0.00
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		\$0.00
<input type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):		\$0.00
TOTAL FEE:		\$0.00

☐ Please charge Deposit Account No. 50-0872 in the amount of \$0.00. A duplicate copy of this transmittal is enclosed.

☐ A check in the amount of \$0.00 is enclosed.

In re application off
Marc R. Montminy
Application No.: 10/628,957
Page 3 of 3

Atty. Dkt. No. SALK1650-6 (088802-2758)

[X] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date February 15, 2005

By. 

FOLEY & LARDNER LLP
Customer Number: 30542
Telephone: (858) 847-6711
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Stephen E. Reiter
Attorney for Applicant
Registration No. 31,192

Atty. Dkt. No. SALK1650-6 (088802-2758)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Marc R. Montminy

Title: METHODS FOR TREATING
DIABETES MELLITUS

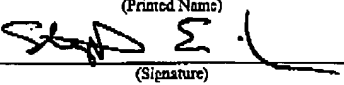
Appl. No.: 10/628,957

Filing Date: 7/28/2003

Examiner: Zachariah Lucas

Art Unit: 1648

Conf. No. 6172

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AMENDMENT AND REPLY UNDER 37 CFR 1.111**RECEIVED
CENTRAL FAX CENTER****FEB 15 2005**Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This communication is responsive to the Non-Final Office Action dated November 16, 2004, concerning the above-referenced patent application.

Amendments to the Claims are reflected in the Listing of Claims which begins on page 2 of this document.

Remarks begin on page 4 of this document.